

1 **Planning Board Minutes**
2 **Tuesday, October 12, 2004**
3

4 **Memorial Building**
5 **150 Concord Street, Public Hearing Room**
6

7 Those present: Thomas Mahoney, Chairman, Ann Welles, Vice Chairman, Carol Spack, Clerk,
8 Sue Bernstein and Andrea Carr-Evans. Also present were Jay Grande, Planning Director and
9 MaryRuth Reynolds, Administrative Assistant.

10 **Meeting was called to order at 7:40 pm**

11 **I. Approval of Minutes**
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13 The Board reviewed the minutes for August 20, 2004. Ann Welles moved to approve
14 the minutes with minor edits and corrections. Sue Bernstein seconded the motion.
15 The vote was 5 in favor 0 opposed.
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17 The Board reviewed the minutes for April 27, 2004. Ann Welles moved to approve
18 the minutes with minor edits and corrections. Sue Bernstein seconded the motion.
19 The vote was 5 in favor 0 opposed.
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21 **II. Discussion on the Technical Assistance Grant**

22 The Board discussed the funding for Technical Assistance Grant.
23 *Ann Welles moved to authorize Jay Grande to explore the filing of the Grant with*
24 *Donna Jacobs on the assumption that we will find funding up to \$8000.00 to make*
25 *our portion of the grant. Sue Bernstein seconded the motion. The vote was 5 in*
26 *favor and 0 opposed.*
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28 **III. Discussion on Ground Water Protection By-Law**

29 In attendance were Peter Seller and Al Wells.
30 The Board reviewed the edits made to the Ground Water Protection By-Law with
31 Peter Sellers. Jay Grande gave a brief run down of the changes made. He stated that
32 he incorporated the comments made at previous meetings and from consultation with
33 Town Counsel into the edited version, hoping to have written this as to avoid further
34 rewrites. Jay Grande recommended that the Board move forward with this version of
35 the by-law at Town Meeting. Peter Sellers stated that he appreciated all the work that
36 that went into this bylaw. Sue Bernstein asked Peter Sellers if he would be willing to
37 support a low impact development grant. Peter Sellers responded that he would and
38 thought that it was a good idea for the town.
39 Greg Doyle followed up on the previous comments about Low Impact Development.
40 He reviewed some materials relative to that subject and passed it out to board
41 members.
42 *Andrea Carr-Evans moved to close the hearing on Article 1 Ground Water*
43 *Protection By-Law. Sue Bernstein seconded the motion. The vote was 5 in favor*
44 *and 0 opposed.*

1 *Andrea Carr-Evans moved for the Planning Board to recommend approval of*
2 *Ground Water Protection By-Law Doc# 1158 as edited. Carol Spack seconded the*
3 *motion. The vote was 5 in favor and 0 opposed.*
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8 **IV. Continued Public Hearing For Special Permit For Use and Site Plan Review**
9 **Approval, 1670 Worcester Road, Dunkin Donuts.**

10 In attendance for the applicant were Paul Galvani and Babar Khan. The Board
11 reviewed the decision for 1670 Worcester Road with the applicant. Edits were
12 recommended and made. *Sue Bernstein moved that the Framingham Planning*
13 *Board approve the application of Konstantin Scrivanos for site plan review*
14 *approval under section 4 I 2.a, off street parking approval for 1670 Worcester Road*
15 *dated October 12, 2004 Doc#1148-04 as amended by the Board tonight. Ann Welles*
16 *seconded the motion. The vote was 5 in favor and 0 opposed.*

17 *Sue Bernstein moved that the Framingham Planning Board approve the*
18 *application of Konstantin Scrivanos for site plan review approval under section 3c*
19 *2d, Special Permit for use approval for 1670 Worcester Road dated October 12,*
20 *2004 Doc#1149-04 as amended by the Board tonight. Ann Welles seconded the*
21 *motion. The vote was 5 in favor and 0 opposed.*
22

23 **V. ANR Plan Bishop Street (Portion of Clarks Hill)**

24 Thomas Mahoney referenced Doc#1151-04, which he stated was a formal request to
25 withdraw without prejudice the application for 1 Clarks Hill LLC for the above
26 referenced ANR plan. *Carol Spack moved that the Framingham Planning Board*
27 *accept the formal request to withdraw without prejudice the application 1 Clarks*
28 *Hill LLC for an ANR plan Doc #1151-04. Ann Welles seconded the motion. The*
29 *vote was 5 in favor and 0 opposed.*
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31 **VI. Continued Public Hearing for Site Plan Review Approval, 222 & 236 Cochituate**
32 **Road, Eastern Bank.**

33 In attendance for the applicant Peter Barbieri, Bruce Ey, Giles Hamm, Peter Barbieri
34 stated that even though this hearing was to focus on traffic he wanted to get the fence
35 issue cleared up. There was a brief conversation about the fence and that the Board
36 members felt it need to be taller and go the length of the property. Giles Hamm
37 continued the hearing by reviewing the traffic issues and studies conducted. He
38 discussed the peak and off peak traffic hours and how the bank traffic will affect the
39 intersections and roadways. He stated that because of the roadwork going on in that
40 area it was difficult to conduct an accurate study. There was discussion between the
41 Board members and the applicant on the traffic issues and concerns in this area. There
42 was a brief discussion on the drive through window and whether or not the Board
43 members would like to see one. The applicant stated that all the banks in the area
44 have them and felt that it would not increase traffic or pedestrian safety factors. The
45 Board wants Jay Grande to recommend that the safety committee look at the no left
46 turn and possibility of posting a sign. Members of the audience were generally

1 concerned about the safety of pedestrians. There was a discussion on the landscaping
2 to be planted at the entrance of the bank site, and the possibility of planting
3 something shorter so as not to block the line of sight of drivers exiting the site. Jay
4 Grande noted that this should be a condition in the decision. There was a brief
5 discussion on a few site design issues. Jay Grande also noted that they need to start
6 working on a decision and get some of the stipulations in the decision written down.
7 *This hearing was continued to November 9, 2004 at 9:00.*
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9 **VII. Miscellaneous Administrative**

- 10 a. **Brimstone OSRD** – Jay Grande noted that there was a stop and desist order until
11 they have Planning Board approval of the gate and entrance. The Board member
12 discussed the location and dimensions of the entrance gate. Peter Barbieri will
13 submit a plan to the Board. Jay Grande stated that before they go any further he
14 wanted to get input from the Fire and Engineering Departments. Thomas
15 Mahoney suggested that they meet for a discussion on October 26, 2004.
- 16 b. **RiverPath Drive Subdivision** – Jay Grande updated the Board on the upcoming
17 submission for RiverPath and stated that this application was not back from the
18 treasure and was not officially submitted. He noted that there are a couple of
19 issues with this submission and would like the applicant to respond to them. Peter
20 Barbieri responded that the submission had been filed in accordance with the
21 requirements and was consistent with previously submitted preliminary
22 subdivision applications. There was a question of whether or not the required
23 community notice was posted. Doug Strauss responded that they were posted.
24 There was a brief discussion with the Board and Applicant on this submission.
- 25 c. **Covenant Extension – Wayside Circle and Doeskin II Subdivision**
26 Jay Grande updated the Board and recommended that the Board execute and sign
27 extensions. There was a brief discussion on the conditions and time frame of
28 extensions. Jay Grande needed to have counsel review extensions before Board
29 signs it. The Board would also like to receive an update on June 30, 2005 *Ann*
30 *Welles moved that the covenant for Wayside Circle subdivision be extended*
31 *until September 30, 2005, subject to the applicant getting an update to the*
32 *planning board on or about June 30, 2005 or at any other date that the Board*
33 *feels appropriate, such extension subject to approval by town counsel. Carol*
34 *Spack seconded the motion. The vote was 4 in favor 0 opposed and 1 abstention*
35 *(Andrea Carr-Evans).*
36 *Ann Welles moved that the covenant for Doeskin II Subdivision be extended*
37 *until September 30, 2005, subject that the applicant get an update to the*
38 *planning board on or about June 30, 2005 or at any other date that the Board*
39 *feels appropriate, such extension subject to approval by town counsel. Carol*
40 *Spack seconded the motion. The vote was 4 in favor 0 opposed and 1 abstention*
41 *(Andrea Carr-Evans).*
- 42 d. **Discussion on meeting assignments**
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46 **VIII. Member Prerogatives**

- 1 a. Ann Welles brought up the subject of implementing subtitles on screen for
2 home views. There was a brief discussion.
3 b. Sue Bernstein wanted an update on Edgell/Main. Jay Grande spoke with Art
4 Scarneo and he will be going to the State to try and get it going.
5 c. Carol Spack wanted an update on the Brookbury Subdivision, because there
6 has been a lot of work done, but now work seems to have stopped. She also
7 stated that the road seemed narrower than the plan showed.
8

9 **V. Executive Session**

10 *Ann Welles moved to enter into executive session to discuss litigation on Ford's*
11 *Meadow and then to leave executive session to adjourn. Sue Bernstein seconded*
12 *the motion. A roll call vote. All in attendance voted in favor.*
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14 **VI. Meeting adjournment**

15 *Ann Welles moved to adjourn. Andrea Carr-Evans seconded the motion. The vote*
16 *was 5 in favor 0 opposed. Meeting adjourned at 12:00am.*
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19 Respectfully submitted,
20 Mary Reynolds
21 Recording Secretary
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24 ****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE**
25 **PLANNING BOARD MEETING OF NOVEMBER 23, 2004**
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Thomas Mahoney, Chairman